

DETAILED ACTION**Claim Disposition**

Claims 1 - 20 are pending in the application. Claims 1 and 12 - 20 have been rejected. Claims 2 - 6 have been allowed. Claims 7 - 11 have been indicated as being allowable if rewritten in independent form.

Claim Objections

Claims 1 - 20 stands objected to because of informalities: In particular, the Examiner has noted that the addition of --are-- on the second to last line after "signals" was not correct. Further, --are-- should be added in the last line after signals. Applicants once again appreciate the Examiner's observations regarding the Claims and have amended Claims 1 and 15 - 20 to correct the terminology to address the Examiner's concerns.

Allowable Subject Matter

Claims 2-6 have been allowed. Claims 7 - 11 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner states:

"The prior art doesn't use a signal to calculate an expected angle and then from that angle calculate back to an expected value from another signal."

Applicants appreciate the Examiner's indication of the allowability of Claims 2 - 6.

With regard to Claims 7 - 11 and the Examiner's reasons for allowance, Applicants respectfully submit that Examiner's summary of the claim language is not exact and may result in confusion of the claimed "calculated angle" and "expected value".

Claim Rejections - 35 USC §102

Claims 1, and 12-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoshi et al., U.S. Patent Application 2001/0004720 A1, hereinafter referred to as Hoshi. Applicants respectfully traverse. The Examiner states in the Office Action:

"As per claims 1,15,16,17,18,19, and 20, Hoshi et al. disclose

receiving a plurality of signals indicative of the rear steering angle in paragraph 20; checking at least one of said plurality of signals to determine if it falls within a valid range in paragraph 20; correlating at least a first signal of the plurality of signals with at least a second signal of said plurality of signals to determine if either said first signal or said second signal is invalid in paragraph 20. and signaling a rejection of any of said plurality of signals is found to be invalid in paragraph 74."

"As per claims 12 and 13, Hoshi et al. disclose said plurality of signals comprises a plurality of signal components of a single carrier signal in paragraph 10; providing a single sensor having two signal outputs in paragraph 10."

"As per claim 14, Hoshi et al. disclose comparing at least one of said plurality of signals with an upper limit and a lower limit in paragraph 56."

Applicants respectfully contend that the explanation in the Office Action mischaracterizes the teachings of Hoshi. To anticipate a claim under 35 U.S.C. §102, a single source must contain all of the elements of the claim. Lewmar Marine Inc. v. Barient, Inc., 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." (emphasis added) Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the ...claim." (emphasis added) Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. Titanium Metals Corp. v. Banner, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Applicants respectfully contend that the Examiner has not made a prima facie case for anticipation. Applicants respectfully contend that Hoshi does not teach or disclose each element of the invention "arranged as in the claim". Specifically with respect to Claims 1, 15, 16, 17, 18, 19, and 20; Hoshi does not teach or disclose, "signaling a rejection of any of said plurality of signals is found to be invalid". The Examiner's Response to Arguments suggests that this element is taught by Hoshi in the second embodiment by *not transmitting* the signal. The Examiner states;

"Upon further review if the prior art it is clear that Hoshi et al. does disclose signaling a rejection of any of said plurality of signals is found to be invalid. In previous arguments the applicant has stated that Hoshi et al. only

disclosed supplying previous versions of the detection signals when the current ones are invalid. This is true in the first embodiment, but not in the second. In paragraph 74, Hoshi et al. discloses that no information is sent to the controller 4 and the controller stops controlling the mechanism 5. This lack of transmission of detection information is a signal that values detected are invalid."

Applicants respectfully disagree and suggest that the Examiner has mischaracterized the teachings of Hoshi. Lack of transmission of invalid data is not at all equivalent to the signaling of a rejection if a signal is invalid. To illustrate, following the Examiner's suggestion, the lack of transmission of invalid data is equivalent to the claimed signaling a rejection. However, considering for example, the recipient of the suggested information. In the Examiner's suggestion, the recipient, controller 4 receives data or not, and does not discern whether such data is invalid or not. Conversely, in the claimed invention there is a clear positively claimed indication provided regarding the status of the signals. Hoshi is directed to identifying detection information that is invalid and then ensuring that invalid detection information is not transmitted to the controller 4 by destroying the invalid most recent detection information. Conversely in the claimed invention, Applicants specifically teach and disclose providing a signal, which is an indication of the fault. Therefore, because Hoshi does not disclose or teach an element of the invention it cannot anticipate the Applicants' claims. Thus, Claims 1, 12-15, 16, 17, 18, 19, and 20 are allowable, the rejections are improper, and they should be withdrawn.

In view of the above discussion, Claims 12 - 14, depend from Claim 1 whether directly or indirectly, and include all of the corresponding limitations thereof. Claim 1 is not taught by Hoshi, therefore, Claims 12 - 14 cannot be taught by Hoshi either. Thus, Claims 12 - 14 are allowable, the rejections are improper and they should be withdrawn.

Claims 1, and 12-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Eguchi, U.S. Patent No. 5,554,969, hereinafter referred to as Eguchi. Applicants respectfully traverse. The Examiner states in the Office Action:

"Eguchi discloses receiving a plurality of signals indicative of the rear steering angle on column 8, lines 25-29; checking at least one of said plurality of signals to determine if it falls within a valid range on lines 5-27, on column 9; correlating at least a first signal of the plurality of signals with at least a second signal of said plurality of signals to determine if either said first signal or said second signal is invalid on lines 16-34, on column 9; and signaling a rejection of any of said plurality of signals is found to be invalid on line 35, on column 35"

Applicants respectfully contend that the Examiner has not made a prima facie case for anticipation. Applicants respectfully contend that Eguchi does not teach or disclose each element of the invention "arranged as in the claim". Specifically with respect to Claims 1, 15, 16, 17, 18, 19, and 20; Eguchi does not teach or disclose, "receiving a plurality of signals indicative of said rear steering angle; nor "checking at least one of said plurality of signals to determine if it falls within a valid range;" nor "correlating at least a first signal of said plurality of signals with at least a second signal of said plurality of signals to determine if either said first signal or said second signal is invalid". Applicants respectfully contend that Eguchi includes no teaching whatsoever regarding a plurality of signals indicative of said rear steering angle. Furthermore, there is no teaching whatsoever regarding correlating one such signal with another. Applicants respectfully suggest that the Examiner has mischaracterized the teachings of Eguchi in suggesting that Eguchi discloses or teaches the claimed invention. For example, to support the rejection the Examiner relies on Column 9 lines 16 -- 34 as disclosing "correlating at least a first signal of said plurality of signals with at least a second signal of said plurality of signals to determine if either said first signal or said second signal is invalid". Applicants respectfully disagree. The relied upon section merely describes Eguchi's process for determining an acceptable steering deviation. Applicants respectfully contend that there is no teaching regarding correlating at least two signals indicative of rear steering angle as the Examiner suggests at the cited reference. Therefore, because Eguchi does not disclose or teach an element of the invention it cannot anticipate the Applicants' claims. Thus, Claims 1, 12-15, 16, 17, 18, 19, and 20 are allowable, the rejections are improper, and they should be withdrawn.

In view of the above discussion, Claims 12 -- 14, depend from Claim 1 whether directly or indirectly, and include all of the corresponding limitations thereof. Claim 1 is not taught by Hoshi, therefore Claims 12 -- 14, cannot be taught by Hoshi either. Thus, Claims 12 -- 14 are allowable, the rejections are improper and they should be withdrawn.

The arguments and amendments presented herein are made for the purposes of better defining the invention, rather than to overcome the rejections for patentability. The claims have not been amended to overcome the prior art and therefore, no presumption should attach that either the claims have been narrowed over those earlier presented, or that subject matter or equivalents thereof to which the Applicants are entitled has been surrendered. Allowance

of the claims is respectfully requested in view of the above remarks. Moreover, no amendments as presented alter the scope of the claimed invention and therefore cannot necessitate a new grounds rejection.

It is believed that the foregoing remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any questions or concerns regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are additional charges with respect to this matter or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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Date: December 21, 2004